

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF ILLINOIS

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

# Voluntary Petition for Non-Individuals Filing for Bankruptcy

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Riverside Plaza Developers, LLC

2. All other names debtor used in the last 8 years  
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 27-5301043

4. Debtor's address Principal place of business

10 Hidden Brook Drive  
North Barrington, IL 60010-6913  
Number, Street, City, State & ZIP Code

Lake  
County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) www.riversideluxe.com

6. Type of debtor  
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership  
☐ Other. Specify: \_\_\_\_\_

Debtor **Riverside Plaza Developers, LLC** Document Page 2 of 6  
 Name Case number (if known)

**7. Describe debtor's business** A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53AB))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80a-3)

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
 See <http://www.naics.com/search/>.

**8. Under which chapter of the Bankruptcy Code is the Debtor filing?**

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operation, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
District	When	Case number

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship to you
District	Case number, if known

Debtor **Riverside Plaza Developers, LLC**  
Name

Case number (if known)

**11. Why is the case filed in this district?***Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (*Check all that apply.*)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other**Where is the property?**

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**☐ No☐ Yes. Insurance agency

Contact name

Phone

**Statistical and administrative information****13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Riverside Plaza Developers, LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signature**

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/14/2016  
MM/DD/YYYY

X Mary Christine Misik  
Signature of authorized representative of debtor  
Title Manager

**Mary Christine Misik**  
Printed name

**18. Signature of attorney**

X Neal L. Wolf  
Signature of attorney for debtor  
Printed name

Date 03/14/2016  
MM/DD/YYYY

**Neal L. Wolf**  
Printed name

**Tetzlaff Law Offices, LLC**  
Firm name

**227 W. Monroe Street  
Suite 3650  
Chicago, IL 60606**  
Number, Street, City, State & ZIP Code

Contact phone **(312) 574-1000**

Email address **nwolf@tetzlefflegal.com**

**6186361**  
Bar number and State

## **CERTIFICATION RESOLUTIONS**

### **Recitals**

Carpe Diem Ensemble, LLC, an Illinois limited liability company (the “Managing Member”), is the sole Managing Member of Riverside Plaza Developers, LLC, an Illinois limited liability company (the “Company”). Mary Christine Misik is the duly elected, qualified signatory of the Managing Member and she is authorized and empowered to act for and on behalf of the Company. The following is a true and correct copy of the resolutions adopted by the Company as of March 14, 2016.

### **Resolutions**

#### **I. Voluntary Petition and Employment of Professionals Under the Provisions of Chapter 11 of the United States Bankruptcy Code**

**RESOLVED**, that in the judgment of the Managing Member of the Company it is desirable and in the best interest of the Company, its creditors and other parties in interest, that the Company file or caused to be filed a voluntary petition for relief under the provisions of chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”); and it is further

**RESOLVED**, that the Managing Member, acting alone, is hereby authorized and empowered to execute and file on behalf of the Company all petitions, schedules, lists and other motions, papers or documents, and to take any and all actions necessary or proper to obtain such relief, including, without limitation, any actions necessary to maintain the operation of the Company’s business; and it is further

**RESOLVED**, that the Managing Member is hereby authorized and directed to employ and retain Neal L. Wolf and the law firm of Tetzlaff Law Offices, LLC as bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, including filing any pleadings and in connection therewith, the Managing Member is hereby authorized and directed to execute such appropriate employment agreements, pay appropriate retainers prior to the filing of the chapter 11 case and cause to be filed the appropriate application for authority to employ and retain the law firm of Tetzlaff Law Offices, LLC; and it is further

**RESOLVED**, that the Company may retain such other professionals to represent and/or assist the Company in the chapter 11 case on a general retainer or such other terms and conditions as the Managing Member shall deem advisable; and it is further

**RESOLVED**, that in connection with the prosecution of the chapter 11 case, the Managing Member is hereby authorized and empowered on behalf of the Company to enter into any agreements, instruments and documents as may be necessary, appropriate or desirable and to make such pleadings, motions or such other filings with the Bankruptcy Court, and do all other things, as may be or may become necessary,

appropriate or desirable in order to prosecute a successful completion of the chapter 11 case; and it is further

**RESOLVED**, that the Managing Member is hereby authorized and empowered to cause the Company to enter into, execute, deliver, certify, file and/or record and perform such agreements, instruments, complaints, motions, affidavits, applications for approvals or ruling or governmental or regulatory authorities, certificates and other documents and to take such actions as in the judgment of the Managing Member that shall be or become necessary, proper and desirable to prosecute a successful completion of the chapter 11 case, to effectuate the restructuring of debt, other obligations, organizational form and structure of the Company; and it is further

**RESOLVED**, that any and all past actions taken in the name of or on behalf of the Company in furtherance of or in connection with the chapter 11 case, are ratified, approved and adopted; and

## **II. Further Actions and Prior Actions**

**RESOLVED**, that in addition to the specific authorizations heretofore conferred, the Managing Member is hereby authorized, directed and empowered, in the name of and on behalf of the Company, to take or cause to be taken any and all such further actions, to execute and deliver any and all such agreements, certificates, instruments and other documents and to pay all expenses, including filing fees, in the Managing Member's judgement which shall be necessary or desirable to fully carry out the intent and accomplish the purposes of the Resolutions adopted herein; and it is further

**RESOLVED**, that all acts, actions and transactions relating to the matters contemplated by the foregoing Resolutions done in the nature and on behalf of the Company, which acts would have been approved by the foregoing Resolutions except that such acts were taken before these Resolutions were certified, are hereby in all respects approved and ratified.

**IN WITNESS WHEREOF**, the undersigned has caused this certificate to be executed as of the 14th day of March 2016.

RIVERSIDE PLAZA DEVELOPERS, LLC, an  
Illinois limited liability company

By: CARPE DIEM ENSEMBLE, LLC, its  
Managing Member

By: Mary Christine Misik  
Mary Christine Misik, as Manager